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PEOPLES OF THE LAKE NYARA REGION

775 Kunguwa, used to persuade Nyangia to help in the sacrificial rite. When Kunguwa
780 was led to Mount Shaka from the Nguni, and died there, the Yao attributed their
offerings to him, not to Kunguwa.¹ The word *Mahaga* has sometimes been inter-
preted to mean Supreme Being, God, Creator, but among the Yao it seems not to have
[785] a personal connotation. It was used to describe the agent in any extraordinary event,² or
the place where the ancestor spirits (*masaka*) were supposed to dwell. Daily life was
[790] full of acts of respect towards the ancestors, who were regarded as jealous of the living,
and requiring constant propitiation.³

SORCERY

795 Accusations of witchcraft and sorcery for dealing with it play a dominant role in
Yao social life. With certain exceptions nearly all diseases and deaths are thought to
be caused by sorcery. The exceptional causes are: the hand of God, old age, the trans-
gression of certain taboos, and battle wounds. If sorcery is suspected the relatives of
the sick or dead man consult the *diviner* to identify the offender.

Yao (in common with the Mbari and many peoples of Central Africa) believe that
sorcerers have a craving for human flesh, which they satisfy by killing with magic the
[800] victims of their malice and hatred. They acquire their magical powers by an apprenticeship,
which might include incestuous relations with mother, sister, or mother-in-law,
or sleeping on the grave of the mother for one night. The sorcerer then burns the
[805] medicines and finally demonstrates his power by killing a young relative by magic;
he waits till the victim is buried, and then magically communicates him for the secret feast
with his fellow sorcerers. Each sorcerer who shares the feast owes a debt to the one who
[810] secured the victim.

815 Charms are used as preventive measures against sorcery. When a *diviner* has
diagnosed the cause of death as sorcery, retaliatory measures are taken. The headman
of the village could either call in the witchfinder to identify the offender or he could
[820] call in the *diviner* to take action against all the sorcerers in the village. After the
diviner, Mahindila, had revealed the guilty ones, they were challenged to take the
poison ordeal to prove their innocence. If they died, the proof and the punishment
were simultaneously accomplished. If they survived, the *diviner* was held to have
been at fault and they were acquitted. The witch doctor was supposed to entice sorcerers
to the graveyard, and slay them with magic more powerful than their own.

825 The *diviner's* findings are to-day checked by the poison ordeal administered to a
chicken. A sorcerer detected in this way might be asked to provide medicine for the
man whose sickness he had caused, or after a death he might be compelled to pay
compensation. If the accused is a village headman, he will not be summoned before a
chief, but his brother will take the villagers away from the sphere of his influence, or
he may be chased away from the district. Accusations of sorcery follow certain regular
lines. Nearly all accusations fall on relatives. Diviners are consulted by married
relatives of the sick or dead person, and the man most usually accused is the brother
of the accuser, or the husband of his sister. Witchcraft is therefore a manner of
expressing the hostilities latent in these relations, which are, in the Yao social system,
full of tension.

¹ Macdonald, 1882, vol. 1, p. 70.² Huchel, 1932, pp. 24-25; Macdonald, 1882, vol. 1, pp. 58-72, 204-72.³ Hetherwick, 2, 1920.

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by his relatives. For the feast during the mourning at a chief's death the food is acquired by institutionalized pillage (*qipinide*).
 The villagers in a chiefdom are often first informed of the death of a chief by the appearance of men from his village. These men are by custom allowed to take from a village any article of food they can find—flour, a goat, some chickens, prepared relish, or whatever is lying around in the village. The owners of the food may not charge them with theft. This food is used in the funeral feast. The excesses to which the chief's men may go became circumscribed after the White conquest. Previously, almost any crime short of murder could be committed under the guise of *qipinide*. More recently, owing to Government opposition, it has been restricted to the taking of smaller articles of food, such as flour and chickens. Some people are beginning to object even to this. The chief's funeral is a public affair and all his subjects may attend it. The effect of the *qipinide* is to bring together enough food for the chief's funeral feast. Here, as before, the chief's men may not cross the boundary for fear of reprisals, and the effect is to impose a levy in an informal way over most of the villages in the chief's area.

THE CHIEF AS A SYMBOL OF UNITY

The chief is a representative of his people and it is his particular duty to ensure their welfare and that of the chiefdom as a whole. His symbolic representation of the unity of his people is brought out clearly by his right to fines in cases involving bloodshed and arson. Strife and division in a chiefdom in the old days were likely to end in spilt blood and burnt huts so that the Yao associate bloodshed and hut-burning with dissension within the chiefdom.

Most other offences are against the individual and not the chiefdom as a whole: the case is brought to the chief so that compensation may be awarded. Adultery and theft thus are definitely civil offences. Nowadays, a fine is imposed, but this is seen to be a White innovation, and the money from it is looked upon as 'Boema' money.¹ In disputes where blood has been shed, however, the chief is entitled to fine the guilty party on his own account. The chief is said to be 'blinded' by the blood and a payment must be made to him before he may 'see'

¹ I.e. Government money.

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again. In the past, disputes hinging on murder had this aspect, though they were usually settled by a feud. Nowadays, of course, all murder cases are lifted altogether out of the hands of the chief, but the special fine for bloodshed is still levied in cases of assault. When a man is convicted of assault in the chief's court he will have to pay three separate amounts: one to the victim as compensation, one as a fine to the Native Treasury, and one to the chief 'so that he may see again'.

A similar provision applies to cases of arson. When a case is brought to the chief because a man has burnt another's hut, the chief will say that the guilty man has 'brought a torch into his country'. The man convicted of arson will have to pay a special fine to the chief in the same way as the man who caused bloodshed. The association of the unity of the chiefdom with fire probably has some place in the attitude of the chief here. People who have come to a chiefdom as strangers are said to have come to 'seek the chief's fire',¹ and all the fires in the chiefdom are supposed to have been kindled from one flame. This expresses the unity of the chiefdom: the burning of the hut, therefore, symbolizes the introduction of discordant elements, as well as being a serious crime in itself.

THE CHIEF'S JUDICIAL FUNCTIONS

It is clear from MacDonald's writings that in pre-White days the chief settled most of the serious disputes in his chiefdom. Nowadays, this function of the chief has been given legal sanction under the Native Courts' Ordinance of 1933. 'A' grade courts have the power of imposing fines not exceeding £5, or 6 months' imprisonment and 12 strokes whipping; and 'B' grade courts may impose fines not exceeding £1 and imprisonment including hard labour not exceeding one month, but not corporal punishment. The Native Authorities, Jalasi, Nyambi, Kawinga and Liwonde, all have 'A' courts; the Subordinate Native Authorities, Chikweo, Ngokwe, Chiwalo, Chamba, Mposa, Mlomba, Stora, have 'B' courts. Only a certain proportion of disputes is brought for trial in these Native Authority courts. This is because, firstly, the Administration does not admit the legality of some disputes. Most of these centre on charges of witchcraft,

¹ A similar view of fire in the village context is discussed in Chap. V, p. 112.

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adjusts itself to the changes in its composition. At this point I wish only to indicate how the differentiation among the various segments of a matrilineage is reflected in the way the members site their huts in a village.

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THE SEGMENTARY PROCESS

The segmentary tendencies within the lineage are countered by unifying forces, but the cleavages between the lineage sections show up at the slightest provocation. Once the cleavage starts it widens rapidly and charges of sorcery become more and more frequent between the two sections until eventually one moves out to found a new village. A cleavage of this type has been developing in Cikoja village for the last eight years. When I left the field in 1949, talk of migration was in the air but it had not yet happened. I summarize the major events which led to the present situation.

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The cleavage first manifested itself in 1942 when Bt. Mbwana (F₂)¹ fought with her mother's younger 'sister' Ayesi (E₈). These two were pounding at the same place in the village and Bt. Mbwana took Ayesi's flat sifting basket. She retained it for about four days without telling Ayesi that she had it. One day Ayesi saw it at the pounding point and asked Bt. Mbwana where she got it. They had a few words about it and Bt. Mbwana returned it and thought no more of it. She was pregnant at the time and was confined about a month later. It was her fifth child but she had a greatly prolonged labour. After labour had been going on for some hours, Cilimba (F₁), her eldest brother, thought that there must be something wrong and sent his two younger brothers, Kausi (F₃) and Gwili (F₄) to a diviner. The diviner indicated that the cause of the difficult birth was that her 'younger mother' Ayesi was bearing her malice,² and advised that Ayesi should blow water from her mouth and declare that she bore no malice. Kausi and Gwili returned and went to Bt. Amisa (E₄) who was Ayesi's elder sister and told her what the diviner had said. Bt. Amisa did as she was advised and fetched Ayesi to the door of the hut in which Bt. Mbwana was lying, and made her confess. The child was born immediately. After a week Cilimba and Kausi brought a complaint to the village headman Cikoja (E₇). They accused Ayesi of trying to kill their sister. Cikoja sent a message to

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¹ The reference numbers refer to the genealogy in Appendix D.

² Difficult labour is usually assumed to be due to adultery, but it may also be due to sorcery or malice. See p. 138, and Chap. VII, p. 185.

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613 his eldest uterine sister's first-born and second-born sons, Amidu (F18)
 578 and Kanyenga (F19), to advise them of this dispute, and told them
 845 that they would have to assume responsibility for the actions of their
 683 mother's younger sister, Ayesi. At the same time he sent to a neighbouring village to call in an unrelated man to act as arbitrator in the dispute. There was much argument and eventually the arbitrator awarded 15s. to be paid by Cikoja as leader of the junior lineage section to Cilimba as leader of the senior section. Amidu and Kanyenga found 10s. between them and gave it to Cikoja to give to Cilimba. The other 5s. they said they would try to find and pay later.

This payment formally settled the dispute but the tension was near to the surface. Amidu and Kanyenga said that there was separation in the group now that they had started to eat money. They were not wrong. Ayesi was pregnant and near to confinement. When she was confined her labour was as difficult as Bt. Mbwana's (it was also her fifth confinement). When her birthpangs seemed to be unavailing Bt. Bwana Isa (F16), her elder sister's daughter, went to Kanyenga to tell him that their 'younger mother' was having a difficult childbirth. Kanyenga remarked that she had had many children before and had not suffered, so that there must be some reason for her difficulty. Then Kanyenga and his sister went to Ayesi's husband's sister's hut¹ to find a representative to go with them to a diviner. When they got there Ayesi's husband's sister told her son to accompany her brother's wife's representative to the diviner. The diviner indicated that the cause of the prolonged birth was the malice felt by Bt. Mbwana because the rest of the compensation awarded had not yet been paid. He said that the only thing to do was to call Bt. Mbwana and to get her to blow water from her mouth at the hut door where Ayesi was confined. Bt. Amisa went to find Bt. Mbwana and made her do this. Immediately Ayesi delivered a stillborn child.

The next morning Amidu and Kanyenga went to Cikoja and blamed him for the stillborn child.² Cikoja called Cilimba to listen to the complaint. Ayesi was inconsolable. She said that she had blown water for the sake of Bt. Mbwana who to-day had a child, whereas she was mourning her child. Once again Cikoja called in outsiders to act as arbitrators and the members of the two segments gathered to settle the dispute. At the end of protracted wrangling

¹ Ayesi was married to her MMMBD's (Katoli (D31)), whose lineage lived in another part of the same village. See genealogy and hut count in Appendix D.

² Cikoja is a representative of his lineage even to the lineage members. This accusation simply means that the blame lies within the lineage.

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the arbitrators awarded 30s. compensation to be paid by Cilimba to Cikoja, less 5s. owing. This money was to be paid to Ayesi in compensation for the loss of her baby. Ayesi, however, refused to accept the money because she said she wanted to have her baby. The matter now became an intra-segment affair and Cikoja, Amidu, Kanyenga and Kaifa (F36), the son of Ayesi, with Bt. Amisa had a meeting on what to do. Ayesi was quite adamant about it. There was nothing to do but to drop the matter, and the state of tension between the segments remained as it was before.

The next incident occurred in 1943. Mpulula, the husband of Bt. Amisa, had some goats. One day two of them strayed on to the verandah of Bt. Madi's hut. Bt. Madi (F10) was the daughter of Asuna (F2) and a member of the senior lineage segment. One of the goats nosed its way into a basket of flour that was lying under the verandah and started to eat it. Bt. Madi came out and picked up a log that was lying nearby and threw it at the goat. It broke the goat's leg and the goat had to be destroyed. The owner, Mpulula, who was watching at that moment immediately rebuked the woman. He went and reported the matter to Cikoja and he sent a message to Mpulula's marriage surety who sent back to say that they would meet at Chiwalo's hut the following morning. The arbitrator in the case finally decided that the correct action should have been to take the goat to the owner and to lay a complaint against him. As it was he had to award compensation of 30s. to be paid to the owner of the goat. Mpulula, however, refused to take the money. He argued that although the goat was his, so was the offender.¹ He said that he was afraid of sorcery so he would take a token amount of 3s. only. Cikoja gave him this.²

A few months later the eldest child of Bt. Bwana Isa (F16) suddenly fell ill and died.³ Kanyenga, Kaifa and Msusa went to the diviner. Kaifa, the son of Ayesi, went as the headman's representative. Kanyenga went as the warden of the sorority-group, i.e. the child's mother's brother. Msusa was the marriage surety of the child's father. Kanyenga consulted the diviner who indicated that Kanyenga's mother Bt. Amisa was responsible but that she was not a sorceress. Sorcery, he said, was introduced by an unknown person who was using Bt. Amisa's grumbling as a screen. Kanyenga refused to accept the finding of the diviner, saying that his mother had never been 'caught'

¹ His wife's collateral sister's child he also calls 'my child'.

² Mpulula is a stranger in the village and in this situation Cikoja represents both segments to Mpulula, even though the senior segment is guilty.

³ Sudden illness, called *cikomo* or 'the hammer', is believed to be without a doubt due to sorcery.

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village had its regular place of torture and *mwezi* drinking, two or three miles from the village. Those used by Malemya, the old Zomba chief, may still be seen.

A clear way is made two feet broad and fourteen feet long in the bush and here the accused takes up his position attended on either side by the two pleaders, the defending pleader on the right, the prosecuting on the left. Facing east or west or following the directions originally given by the caster-of-lots, that is, taking up the position in which the accused is supposed to take a midnight bath, or practice some rite under a tree or an ant hill, etc., he is given a decoction of *mwezi* to drink from a gourd. This decoction is made on the spot, the bark being pounded up on a stone by one of the prosecutors. The accused must have had no food that day. He then starts to walk up and down the short cleared path with the two men, one on either side of him, the one saying, "Now you have drunk *mwezi*, you shall die as you deserve; you did in So-and-So," the other denying the accusations, saying, "He shall vomit the poison." He is watched by the assembled crowd who note the various symptoms of which vomiting is the first and said to be the most characteristic. After this has gone on for some time, they watch for what is called the *nyongo* which is said to be "a ball of bile formed in the mouth and expelled by vomiting so that it bursts on reaching the ground but not before", followed often by a second ball, twenty minutes later. Should this be expelled, recovery may be expected, foreshadowed by clearing of the vision. If he recovers, he is indeed a wonderful man and is hailed on all sides. The women tell with their tongues and shout, and he is carried back in triumph; the defending pleader will swagger about and demand anything he wants for his client.

A fatal termination is characterized by little and non-forcible vomiting. Purging is common but said to be painless. Vision is affected and as time goes on, the spectators ask what he can see, "Do you see that over there?" indicating a hill. If he makes mistakes, then they say, "Ah, he is going to die!"

The poison may not take full effect for three or four hours. The end is ushered in by a last stage when the legs become weak; he staggers, then unable to stand any longer, falls to the ground dead, exsanguinated by the onlookers who rush in and hurl stones upon the body, crushing it. The relatives take the mangled corpse and lay it on logs covered with grass in the bush. No other covering is permitted. It may be placed in a tree by people acting as *mwezi*. Burial is forbidden.

In some cases *mwezi* used to be burned, not being given the chance of the poison trial. This took place at a recognised spot like *adwezi*. The last man to be burned by Malemya was Mfulula in 1892. Burning was also a punishment in some bad cases of murder. Such was the fate of Chingale. The man was put in a slave-stick, a pile of logs was built round him and then set on fire.

Which-ender. In addition to ordeal poison, another method of discovering a *mwezi* is by "smelling out." If a number of people have died in a certain village, the inhabitants may begin to think that there is a *mwezi* among them, and procure the services of a *mbechila*.

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